Ballona Wetlands Restoration Project

Original Premise, Project Directive, and Statement of Work

Comprehensive Technical Analysis

Prepared for Independent Technical and Policy Review

January 9, 2026

Executive Summary

The Ballona Wetlands Restoration Project was originally conceived as a habitat restoration initiative, not a flood control, infrastructure modification, or hydrologic redesign project. At inception, the project's core directive was to restore degraded coastal wetland habitat within the fixed constraints of an existing, federally authorized flood control system (Ballona Creek). The project explicitly assumed that flood protection standards were non-negotiable and outside the project's scope.

The foundational premise began with the State of California's acquisition of approximately 600 acres in 2003 for $140 million, followed by formal designation as the Ballona Wetlands Ecological Reserve under Title 14, Section 630 of the California Code of Regulations in 2005. This designation established the property as a Terrestrial/Non-Marine Ecological Reserve with the specific purpose of protecting and enhancing both coastal salt marsh and freshwater marsh habitats.

Subsequent controversies surrounding the project stem largely from divergence between this original premise and later project expansions that implicitly challenged or reinterpreted foundational flood control assumptions, ecological restoration principles, and the legal framework established by the Section 630 designation. The project scope drifted from incremental habitat enhancement toward large-scale excavation and tidal conversion that critics argue contradicts both the historical ecology and the statutory mandate.

1. Historical Context and Foundational Events

1.1 Historic Ballona Wetlands

The Ballona Wetlands developed as a back-barrier lagoon with extensive fringing saltmarsh. Like most Southern California coastal wetlands, Ballona was part of the second group of estuaries that periodically closed at the inlet due to longshore transport of sand, remaining closed for extended periods and only reopening during winter flood events. This meant Ballona was historically a predominantly seasonal freshwater to brackish wetland with intermittent tidal connection, not a permanently open tidal estuary.

The wetland complex originally encompassed approximately 2,000 acres stretching from Playa del Rey to Venice and inland to Baldwin Hills. By the 21st century, less than 600 acres of open space remained after major alterations including:

- Channelization of Ballona Creek in the 1930s as part of federal flood control infrastructure
- Construction of Marina del Rey in the 1950s-60s
- Agricultural modification and drainage
- Diking, filling, and urban encroachment
- Loss of tidal connectivity

Los Angeles County had lost 96-98% of its historic wetlands by the early 2000s, making the remaining Ballona acreage critically significant.

1.2 September 2003: State Acquisition

On September 30, 2003, the Wildlife Conservation Board approved the state's purchase of approximately 483-600 acres from Playa Capital Company, LLC for $140 million. This acquisition was facilitated by:

• Proposition 12 (providing $25 million for acquisition)

• Legislation sponsored by Assembly Speaker Antonio Villaraigosa and State Senator Deborah Bowen

• Negotiations by the Trust for Public Land with Playa Vista landowners beginning in 2001

The stated purpose was straightforward: "preserve critical habitat and key open space, including a large portion of what remains of the Ballona Wetlands." The property supported multiple habitat types including upland scrub, open salt/mud flats, riparian corridors, coastal dunes, and grasslands. Protection of endangered species was specifically emphasized, including the California least tern, California brown pelican, and Belding's Savannah sparrow (state-listed endangered).

The California Department of Fish and Game (now California Department of Fish and Wildlife, CDFW) assumed jurisdiction, with the Trust for Public Land providing interim management while restoration planning commenced.

1.3 August 2005: Ecological Reserve Designation

On August 19, 2005, the California Fish and Game Commission formally designated the 553-acre property as the Ballona Wetlands Ecological Reserve under Title 14, Section 630 of the California Code of Regulations. This designation was registered with the California Office of Administrative Law and established binding legal parameters.

According to the California Regulatory Notice Register (Volume 20-Z, page 663), the specific Purpose and Goals were:

"Ballona Wetlands consisting of 553 acres in Los Angeles County is proposed for designation as an ecological reserve for the protection and enhancement of coastal salt marsh and freshwater marsh habitats, and associated species, including the state listed endangered Belding's savannah sparrow. The area is also an important wildlife movement corridor to other public lands in the vicinity of the wetlands. The reasons for listing this property in Title 14 are to regulate public use and provide the best available protection for the species and habitats the property was acquired to protect."

This designation was legally significant because Section 630 explicitly classified Ballona as "Terrestrial, Non-Marine" rather than Section 632 "Marine Preserve." This distinction emphasized protection of the area's freshwater resources alongside its coastal salt marsh components, reflecting the wetland's historical character as a seasonally closed lagoon with both freshwater and brackish conditions.

1.4 2005-2006: Conceptual Restoration Planning

In 2005, the California Coastal Conservancy initiated conceptual planning and feasibility analysis. In August 2006, the Conservancy commissioned Philip Williams & Associates (PWA) to develop a conceptual restoration plan. The Ballona Wetlands Restoration Plan established two primary goals:

Goal 1: "Restore, enhance, and create estuarine habitat and processes in the Ballona Ecosystem to support a natural range of habitats and functions, especially as related to estuarine dependent plants and animals."

Goal 2: "Create opportunities for aesthetic, cultural, recreation, research and educational use of the Ballona Ecosystem that are compatible with the environmentally sensitive resources of the area."

The statement of work directed PWA to characterize existing conditions within the 600-acre project area, identify potential restoration alternatives based on opportunities and constraints, and develop a conceptual restoration plan achieving the project goals.

A Science Advisory Committee was established in 2006 to provide scientific oversight and ensure restoration plans reflected best available science. The State Coastal Conservancy indicated restoration planning would take approximately three years and cost up to $2 million—modest compared to later proposals for $100+ million excavation projects.

Environmental Science Associates (ESA) was contracted to develop alternatives and restoration plans. ESA's original scope included working with the science advisory committee, engaging diverse regulatory and public stakeholders, and defining restoration goals that would "enable the system and its inhabitants to thrive."

2. Legal Framework and Authorizations

2.1 Title 14, Section 630 Requirements

The 2005 ecological reserve designation under Title 14, Section 630 triggered specific legal requirements that govern all subsequent actions:

Fish and Game Code Section 1019: Requires preparation of a Land Management Plan (LMP) for all Ecological Reserves

Fish and Game Code Section 1745: All agreements and management actions must adhere to the Purpose of Acquisition as defined in the 2005 designation

Fish and Game Code Section 1580: Declares state policy to protect threatened/endangered species and specialized habitats through ecological reserves

Title 14 CCR §630: Establishes that ecological reserves are to provide protection for rare, threatened, or endangered species and specialized habitat types

Critical Legal Deficiency: Despite the legal requirement under Fish and Game Code Section 1019, no Land Management Plan was ever prepared for the Ballona Wetlands Ecological Reserve. The LMP must begin with the Purpose and Goals of the Section

630 acquisition, and any subsequent Environmental Impact Reports must start with the same premise.

2.2 Jurisdictional Framework

Lead Agency:

• California Department of Fish and Wildlife (CDFW), formerly California Department of Fish and Game

Cooperating and Responsible Agencies (Early Phase):

• California Coastal Conservancy
• Los Angeles Regional Water Quality Control Board
• U.S. Army Corps of Engineers (USACE) – regulatory role, not proponent
• Los Angeles County Flood Control District (LACFCD) – constraints authority

Critical Jurisdictional Note: The Ballona Wetlands Ecological Reserve boundaries do not include the Ballona Creek flood control channel, which remains under the jurisdiction of the Los Angeles County Flood Control District and U.S. Army Corps of Engineers. The ecological reserve designation applies only to the wetland habitat areas, not to the federally authorized flood control infrastructure.

3. Original Project Directive and Statement of Work

3.1 Foundational Purpose

The Ballona Wetlands Restoration Project originated in the late 1990s-early 2000s as a response to long-standing degradation of historic coastal wetlands. At its core, the project was intended to:

• Restore degraded coastal wetland habitat on formerly tidal lands that had been diked, filled, farmed, or otherwise disturbed over the 20th century
• Re-establish historical tidal and hydrologic functions to the extent feasible within existing urban constraints
• Restore ecological function to remaining wetland lands
• Reintroduce limited tidal influence where feasible
• Improve habitat value for native and special-status species
• Avoid increasing flood risk to surrounding developed communities

Critically, the project was explicitly constrained by the existence of Ballona Creek as a federal flood control channel and by the surrounding fully urbanized watershed. The project was framed as ecological restoration within a fully urbanized watershed, not as an opportunity to redesign regional hydrology or flood infrastructure.

3.2 Directive Statement

The original project directive can be accurately summarized as follows:

Plan and implement a habitat-focused restoration of the Ballona Wetlands Ecological Reserve that reintroduces tidal influence and native wetland functions while maintaining existing, authorized flood protection levels provided by Ballona Creek.

This directive established flood safety as a controlling constraint, not a design variable. The project was not authorized to modify the flood control standard, redesign Ballona Creek, or assume flood conveyance capacity beyond what already existed.

3.3 Ecological Restoration Objectives

The initial scope emphasized:

- Restoration of coastal salt marsh and estuarine habitat
- Enhancement of transitional upland habitat
- Support for shorebirds, fish nursery habitat, and sensitive species
- Removal or suppression of invasive species
- Remediation of legacy agricultural impacts
- Address the degraded condition caused by dredge spoils from marina construction, historic railroad fill, and 1930s flood control channel construction

3.4 Hydrologic Restoration (Explicitly Limited)

Hydrologic actions were framed as carefully controlled and subordinate to flood safety, including:

- Evaluation of limited tidal exchange mechanisms (e.g., culverts, tide gates, controlled openings)
- Avoidance of unrestricted tidal breaching
- Avoidance of increased backwater effects in Ballona Creek
- Avoidance of increased flood stages or flow velocities

4. Engineering and Technical Constraints

4.1 Flood Control Constraints

The project explicitly assumed:

- No reduction in Ballona Creek flood conveyance capacity
- No increase in flood risk to surrounding communities, including Playa del Rey, Marina del Rey, and Westchester
- No modification of the federally authorized flood standard
- No redefinition of the creek's design storm or level of protection
- No increase in upstream flood stages or velocities

Ballona Creek's federally authorized flood conveyance capacity was treated as a hard constraint, not an adjustable parameter. The project assumed the USACE-authorized flood standard as fixed and authoritative.

4.2 CEQA Compliance Framework

Environmental review under CEQA was expected to:

- Define the maximum feasible restoration
- Prevent scope expansion beyond safety and legal limits
- Ensure full disclosure of impacts and constraints
- Conduct CEQA-compliant alternatives analysis to bound the project

CEQA compliance depends on adherence to the originally defined project purpose and scope. Later project expansions represent scope accretion, not continuation of the original authorization.

4.3 Federal Permitting Requirements

Federal permitting under Clean Water Act Sections 404 and 408 hinges on flood control non-interference. Section 408 specifically requires USACE approval for any alteration to federally authorized flood control works, with approval contingent on demonstrating no adverse impact to flood protection.

5. Explicit Exclusions from Original Scope

At inception, the Ballona Wetlands Restoration Project was explicitly not intended to be:

- A flood control improvement project or re-authorization effort
- A Ballona Creek redesign or channel modification project
- A climate adaptation or sea-level-rise driven infrastructure project
- A sediment management or channel reconfiguration project
- A recreational park or development initiative
- A mechanism to lower or bypass federal flood protection standards
- An industrial-scale excavation project (the 2004 Conservancy memorandum anticipated $2 million over 3 years for restoration planning, modest compared to later $100+ million proposals)
- A full tidal conversion project (the Title 14 Section 630 "Non-Marine" designation and emphasis on protecting freshwater resources suggested enhancement of existing conditions)
- A vehicle to revisit federal flood standards (e.g., SPF vs. lower thresholds)

These elements were outside the project's authorization and original intent. They entered the project later through scope accretion rather than original authorization.

6. Foundational Assumptions and Inherent Tensions

6.1 Key Assumptions Embedded at Project Start

Several critical assumptions underpinned the original project framework:

1. Fixed Flood Control Baseline: Ballona Creek's federally authorized flood conveyance capacity was treated as a hard constraint, not an adjustable parameter. The project assumed the USACE-authorized flood standard as fixed and authoritative.

2. Subordination of Restoration to Flood Safety: Ecological benefits were explicitly conditioned on no adverse hydraulic impact. Restoration must be subordinate to flood safety.

3. Incremental and Reversible Intervention: Early concepts favored small-scale, controllable, and reversible hydrologic actions rather than large-scale regrading or permanent tidal reconnection.

4. CEQA as a Bounding Mechanism: Environmental review was expected to define the maximum feasible restoration, prevent scope expansion beyond safety and legal limits, and ensure full disclosure of impacts and constraints.

5. Protection of Mixed Hydrology: The Title 14 Section 630 designation emphasized protection of both coastal salt marsh AND freshwater marsh habitats, suggesting a mandate to preserve the site's mixed hydrology.

6. Science-Based Adaptive Management: Restoration would be guided by best available science through the Science Advisory Committee and reflect historical ecology.

6.2 The Foundational Tension

The original premise contained an inherent tension that would later generate significant controversy:

Legal Framework (2005): The 2005 Title 14, Section 630 designation specified protection of "coastal salt marsh and freshwater marsh habitats" as a Terrestrial/Non-Marine reserve focusing on existing degraded wetland conditions. This suggested a mandate to preserve the site's mixed hydrology, including substantial freshwater resources (the site overlies multiple freshwater aquifers classified as Drinking Water or Potential Drinking Water).

Technical Planning Direction (2006): The 2006 technical planning goals emphasized "estuarine habitat and processes"—language that could be interpreted as prioritizing tidal saltwater connections. The Science Advisory Committee and subsequent planning documents increasingly focused on "restoring the ebb and flow of the ocean" and creating a fully tidal estuary.

Historical Ecology: Ballona was never a permanently tidal estuary but rather a seasonally closed lagoon with predominantly freshwater to brackish conditions. "Restoration" to a fully tidal state would therefore represent transformation rather than restoration to historical conditions.

This fundamental mismatch between the legal authorization (protect and enhance existing terrestrial freshwater and saltwater marsh habitats) and later implementation approaches (excavate and convert to fully tidal estuary) lies at the core of the project's two-decade dysfunction.

7. Evolution and Scope Drift

7.1 Divergence from Original Premise

By 2017-2020, the restoration planning had evolved toward "Alternative 1"—the most extensive option involving:

- Removal of Ballona Creek levees
- Excavation of approximately 3 million cubic yards of material
- Creation of a fully tidal saltwater estuary

This direction generated significant opposition from stakeholders who argued it contradicted:

- The historical ecology (Ballona was never permanently tidal)
- The Title 14 Section 630 Non-Marine designation
- Protection of endangered species adapted to existing conditions
- The statutory mandate to protect freshwater resources
- The original constraint against modifying flood control infrastructure

7.2 Current Status

A 2023 court ruling found the Environmental Impact Report deficient and ordered preparation of a revised EIR. As of January 2026, the project remains in revised planning phases with "Sequences 1 and 2" focused on improving hydrology in approximately 60 acres without the full-scale transformation initially proposed. The project has been characterized as "on pause" with no active federal engagement and missed internal deadlines.

7.3 Analysis of Scope Drift

The current controversies surrounding the Ballona Wetlands Restoration Project arise largely because:

- The project's scope drifted from habitat restoration into de facto hydrologic and flood-risk-altering actions
- Later project descriptions implicitly challenged or attempted to work around the original flood control constraints
- The foundational premise (restore wetlands without changing flood risk standards) became blurred or selectively reinterpreted
- Many current legal and engineering conflicts arise from divergence between original assumptions and later project descriptions

8. Significance for Current Project Evaluation

Understanding the original premise and directive is critical for several reasons:

Legal Compliance: CEQA compliance depends on adherence to the originally defined project purpose and scope. Federal permitting under Clean Water Act Sections 404 and 408 hinges on flood control non-interference. Any evaluation of the project's legality must begin with the original premise as the baseline against which all subsequent modifications must be measured.

Engineering Feasibility: The original directive established Ballona Creek's flood capacity as a fixed constraint. Later attempts to modify this constraint represent fundamental changes to project scope that require separate authorization and review.

Environmental Compliance: The Title 14, Section 630 designation requires protection of both freshwater and saltwater marsh habitats. Transformation to exclusively tidal conditions may violate this statutory mandate.

Historical Accuracy: True ecological restoration should reflect historical conditions. Since Ballona was historically a seasonally closed, predominantly freshwater-to-brackish system, conversion to a permanently tidal estuary represents habitat creation, not restoration.

Scope Authority: Later project expansions represent scope accretion beyond the original authorization. Actions outside the original directive may require separate environmental review, permitting, and public process.

9. Conclusion

The Ballona Wetlands Restoration Project began in 2003-2006 as a constrained ecological restoration project, explicitly bounded by an existing, federally authorized flood control system. The original premise can be summarized in six key points:

1. Preserve and protect 600 acres of the last significant coastal wetland in Los Angeles County
2. Enhance degraded habitats to support endangered species, particularly Belding's Savannah sparrow
3. Restore ecological functions including connections to freshwater and tidal sources within a mixed-hydrology system
4. Protect both coastal salt marsh AND freshwater marsh habitats under a Terrestrial/Non-Marine designation
5. Maintain existing flood protection standards without modification to Ballona Creek's federally authorized capacity
6. Provide compatible public access for education, recreation, and research

The project was not conceived as a vehicle for altering flood risk standards, redesigning Ballona Creek, or redefining regional hydrology. It was not authorized as an industrial-scale excavation project or full conversion to tidal estuary conditions. The directive

emphasized science-based restoration guided by historical ecology, regulatory protection of existing resources, and adaptive management.

The tension between "restoration" as enhancement of a historically brackish/seasonal system versus "restoration" as creation of a fully tidal estuary has defined the project's controversial evolution over two decades. Understanding this original premise is essential because it defines the legal, engineering, and environmental baseline against which all subsequent project modifications must be evaluated.

Any evaluation of the project's current status, legality, engineering feasibility, or environmental compliance must begin with this original premise as the authoritative foundation.

10. Key References and Documentation

10.1 Foundational Legal Documents

- California Code of Regulations Title 14, Section 630 (2005 designation)
- California Regulatory Notice Register, Volume 20-Z, page 663 (August 2005)
- California Fish and Game Code Sections 1019, 1580, and 1745
- Office of Administrative Law Registry (2005)

10.2 Acquisition and Planning Documents

- Wildlife Conservation Board acquisition approval (September 30, 2003)
- Philip Williams & Associates, Ballona Wetlands Restoration Plan (2006)
- PWA Existing Conditions Report (2006)
- California Coastal Conservancy planning documents (2004-2006)

10.3 Federal Flood Control Documentation

- U.S. Army Corps of Engineers, 1979 Ballona Creek engineering reports
- Clean Water Act Section 404 and 408 regulatory framework
- Los Angeles County Flood Control District technical specifications

10.4 Environmental Review Documents

- Draft and Final Environmental Impact Reports (various dates)
- 2023 court ruling on EIR deficiencies
- Science Advisory Committee reports and recommendations

10.5 Additional Technical Resources

Comprehensive source citations and URLs are available in the supplementary documentation provided with this report. Key materials are archived at:

- California Coastal Conservancy: scc.ca.gov
- California Department of Fish and Wildlife: wildlife.ca.gov
- California Coastal Commission: coastal.ca.gov
- U.S. Army Corps of Engineers, Los Angeles District: spl.usace.army.mil

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This report synthesizes four independent analyses of the Ballona Wetlands Restoration Project's original premise and directive. It is intended to provide a comprehensive technical foundation for understanding the project's legal authorization, engineering constraints, and subsequent evolution.

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